



BOARD OF ADJUSTMENT/SIGN REVIEW BOARD

July 12, 2010

**CITY COUNCIL CHAMBERS
301 WEST 2ND STREET
AUSTIN, TEXAS**

Leane Heldenfels (chair) **Bryan King** **Cathy French (SRB only)**
 Clarke Hammond (vice-chair) **Nora Salinas** **Heidi Goebel**
 Jeff Jack **Melissa Whaley Hawthorne**
 Michael vonOhlen **(Alternate)**

AGENDA

CALL TO ORDER - 5:30 P.M.

A. Briefing on the Planning and Development Review Department Proposed FY 2011 Budget
by Don Birkner

B. APPROVAL OF MINUTES June 14, 2010

C. SIGN REVIEW PUBLIC HEARINGS

**C-1. C16-2010-0003 Jim Bennett for John Lewis
8701 Research Blvd.**

The applicant has requested a variance from the maximum freestanding sign height requirement of Section 25-10-123 (3) (a) from 35 feet (67 feet existing) to 61 feet in order to erect and remodel an existing freestanding sign in a “CS-CO-NP”, Commercial Services – Conditional Overlay – Neighborhood Plan zoning district.

**C-2. C16-2010-0004 Jim Bennett for W.B. Stringer
1135 West 6th Street**

The applicant has requested a variance to decrease the minimum setback requirement for a freestanding sign requirement of Section 25-10-191 (E) from 12 feet from the street right-of-way to 0 feet from the street right-of-way in order to erect a freestanding sign in a “CS-MU-CO-NP”, Commercial Services – Mixed Use – Conditional Overlay – Neighborhood Plan zoning district. (Old West Austin Neighborhood Plan)

D. INTERPRETATION RECONSIDERATION POSTPONEMENT

D-1. C15-2010-0042 Nuria Zaragoza for Karen McGraw 1915 A David Street

The applicant has filed an administrative appeal, requesting an interpretation of whether the Planning and Development Department Director's determination that: 1) the property qualifies as a remodel of a two-family use; 2) the property is developed with a two-family residential use; 3) the occupancy limit of twelve (12) unrelated adults is grandfathered, and the gross floor area and the number of bedrooms on the site did not increase; and 4) a room not labeled as a bedroom is not a bedroom and does not trigger Section 25-2-511 (Dwelling Unit Occupancy Limit) and does not have to meet life safety requirements as a sleeping area; is correct.

E. BOARD OF ADJUSTMENT POSTPONEMENTS

E-1. C15-2010-0038 Jon Noterthomas **WITHDRAWN 2400 Wilson Street**

The applicant has requested a variance to decrease the minimum rear yard setback requirement of Section 25-2-492 (D) from 10 feet to 6 feet 7 ³/₄ inches to building and to 3 feet 4 ¹/₄ inches to the stair/landing from the property line in order to remodel an existing accessory structure to create a two-family residential use in an "SF-3-NP", Family Residence – Neighborhood Plan zoning district. (Dawson Neighborhood Plan)

The applicant has requested a variance to decrease the minimum separation requirement of Section 25-2-774 (C) (2) (a) from 15 feet to 8 feet 10 inches in order to remodel an existing accessory structure to create a two-family residential use in an "SF-3-NP", Family Residence – Neighborhood Plan zoning district. The Land Development Code states that the second dwelling unit must be located at least 15 feet to the rear of the principal structure. (Dawson Neighborhood Plan)

The applicant has requested a variance from Section 25-2-774 (C) (4) in order to have an entrance 6 feet 7 ³/₄ inches from the property line in order to remodel an existing accessory structure to create a two-family residential use in an "SF-3-NP", Family Residence – Neighborhood Plan zoning district.. The Land Development Code states that the second dwelling unit may not have an entrance within 10 feet of a lot line. (Dawson Neighborhood Plan)

E-2. C15-2010-0039 Benjamin T. White 4921 Bull Creek Road

The applicant has requested a variance to maintain (i) the portion of the fence along the southern boundary of the property line adjacent to 2706, 2708 and 2712 West 49 ¹/₂ Street in their presently constructed condition in accordance with building permit numbers 2008-051644BP and 2009-029382BP and Section 25-2-899 (E) and (ii) the present height of 7 feet for the section of fence along the southern boundary of the property line adjacent to 2710 West 49 ¹/₂ Street in an "SF-1", Single Family Residence Large Lot zoning district.

**E-3. C15-2010-0046 Michael Vacek for Celia Thrash
5705 Avenue G**

The applicant has requested a variance to decrease the minimum front street setback requirement of Section 25-2-492 (D) from 25 feet to 15 feet in order to attach a carport and porch to a single-family residence in an “SF-3-NP”, Family Residence – Neighborhood Plan zoning district. (Highland Neighborhood Plan)

The applicant has requested a variance from Section 25-2-1604 (C) (1) which states that a parking structure with an entrance that faces the front yard may not be closer to the front lot line than the building façade in order to attached a carport to a single-family residence in an “SF-3-NP”, Family Residence – Neighborhood Plan zoning district. (Highland Neighborhood Plan)

**E-4. C15-2010-0053 J.R. Threadgill
2001 South 1st Street**

The applicant has requested a variance to decrease the minimum front street setback requirement of Section 25-2-492 (D) from 25 feet to 20 feet in order to erect a single-family residence in a “CS-MU-V-CO-NP” zoning district.

The applicant has requested a variance to decrease the minimum side street setback requirement of Section 25-2-492 (D) from 15 feet to 5 feet in order to erect a single-family residence in a “CS-MU-V-CO-NP” zoning district.

**E-5. C15-2010-0055 Virginia Velez
9415 Quail Meadow Drive**

The applicant has requested a variance to increase the maximum impervious coverage requirement of Section 25-2-492 (D) from 45% to 57% in order to maintain existing impervious coverage for a duplex-residential use in an “SF-3-NP”, Family Residence – Neighborhood Plan zoning district. (North Austin Civic Association Neighborhood Plan)

**E-6. C15-2010-0060 Carlos & Kelly Gonzalez
1700 South 6th Street**

The applicant has requested a variance to decrease the minimum front street setback requirement of Section 25-2-492 (D) from 25 feet to 15 feet in order to erect a single-family residence in an “SF-3-NP”, Family Residence – Neighborhood Plan zoning district. (Bouldin Creek Neighborhood Plan)

The applicant has requested a variance to decrease the minimum side yard setback requirement of Section 25-2-492 (D) from 5 feet to 0 feet along the north property line in order to erect a single-family residence in an “SF-3-NP”, Family Residence – Neighborhood Plan zoning district. (Bouldin Creek Neighborhood Plan)

F. BOARD OF ADJUSTMENT RECONSIDERATION

**F-1. C15-2010-0044 Paula E. Griffin
6000 San Pablo Court**

The applicant has requested a variance to decrease the minimum rear yard setback requirement of Section 25-2-492 (D) from 10 feet to 0 feet in order to maintain and screen-in an existing deck for a single-family residence in an “SF-2”, Single Family Residence zoning district.

G. BOARD OF ADJUSTMENT PUBLIC HEARINGS

**G-1. C15-2010-0066 Jeff Turner for Nicole Covert
2701 Scenic Drive**

The applicant has requested a variance to decrease the minimum side street setback requirement of Section 25-2-492 (D) from 15 feet to 6 feet in order to erect a two car carport for an existing single-family residence in an “SF-3”, Family Residence zoning district. (*This variance was previously approved under Case # C15-2007-0071 on August 13, 2007.*)

**G-3. C15-2010-0068 Rick Luisi
2914 Beanna Street and 809 East 30th Street**

The applicants have requested a variance to increase the maximum height of a freestanding sign requirement of Section 25-2-899(D) from 6 feet in height to 8 feet in height in order to maintain a solid fence around the side and rear property lines of the existing single-family residences in an “SF-3-NP”, Family Residence – Neighborhood Plan zoning district. (Hancock Neighborhood Plan) The Land Development Code states that a solid fence constructed along a property line may not exceed an average height of six feet or a maximum height of seven feet.

**G-4. C15-2010-0069 Jim Bennett for Mike Craddock
2709 East 13th Street**

The applicant has requested a variance to decrease the minimum front street setback requirement of Section 25-2-492 (D) from 25 feet to 10 feet in order to erect a two-family residential use in an “SF-3-NP”, Family Residence – Neighborhood Plan zoning district. (Chestnut Neighborhood Plan)

The applicant has requested a variance to decrease the minimum rear yard setback requirement of Section 25-2-492 (D) from 10 feet to 5 feet in order to erect a two-family residential use in an “SF-3-NP”, Family Residence – Neighborhood Plan zoning district. (Chestnut Neighborhood Plan)

The applicant has requested a variance from the two-family residential use requirement of Section 25-2-774 (C) (2) which states that the second dwelling unit must be located at least 15 feet to the rear of the principal structure in an “SF-3-NP”, Family Residence – Neighborhood Plan zoning district. (Chestnut Neighborhood Plan)

**G-5. C15-2010-0070 Jim Bennett for Melissa McPherson
7900 Creekmere Lane**

The applicant has requested a variance to decrease the minimum side yard setback requirement of Section 25-2-492 (D) from 5 feet to 4.5 feet along the north property line in order to maintain a single family residence in an “SF-2”, Family Residence zoning district.

**G-6. C15-2010-0071 Joyce Hellstern
313 East 38th Street**

The applicant has requested a variance to increase the maximum fence height requirement of Section 25-2-899 (D) from 6 feet to 8 feet in order to erect and complete a fence for a two-family residential use inside the property line along Tom Green Street and inside the building setback line of East 38th Street in an “SF-3-NCCD-NP”, Family Residence – Neighborhood Conservation Combining District – Neighborhood Plan zoning district. (North University – Neighborhood Conservation Combining District)

**G-7. C15-2010-0072 Sylvia Cantu
605 Irma Drive**

The applicant has requested a variance to decrease the minimum front street setback requirement of Section 25-2-492 (D) from 25 feet to 4.4 feet in order to complete and maintain an attached carport for a single-family residence in an “SF-3-NP”, Family Residence – Neighborhood Plan zoning district.

**G-8. C15-2010-0073 Jim Bennett for Allen McAden
2109 Newfield Lane**

The applicant has requested a variance to decrease the minimum front street setback requirement of Section 25-2-492 (D) from 25 feet to 24.6 feet in order to complete and maintain an existing duplex-residential use in an “SF-3”, Family Residence zoning district.

The applicant has requested a variance to increase the maximum floor to area ratio requirement of Subchapter F; Article 2; Subsection 2.1 from 0.4 to 1.0 to 0.61 to 1.0 in order to complete and maintain an existing duplex-residential use in an “SF-3”, Family Residence zoning district.

**G-9. C15-2010-0074 Joe Parham
7700 Mullen Drive**

The applicant has requested a variance to decrease the minimum side yard setback requirement of Section 25-2-492 (D) from 5 feet to 3 feet in order to erect and attach a carport addition to an existing single-family residence in an “SF-3-NP”, Family Residence – Neighborhood Plan zoning district. (Crestview Neighborhood Plan)

**G-10. C15-2010-0075 Jim Bennett for The Griffin School
5000-5002 Martin Avenue**

The applicant has requested a variance from the minimum street paved width requirement of Section 25-2-832 (1) in order to remodel an existing Religious Assembly Use to create a Private Secondary Educational Facility in an “SF-3-NCCD-NP”, Family Residence – Neighborhood Conservation Combining District – Neighborhood Plan zoning district. (North Hyde Park Neighborhood NCCD) The Land Development Code states that a private secondary school must be located on a street that has a paved width of at least 40 feet from the site to where it connects with another street that has a paved width of at least 40 feet.

**G-11. C15-2010-0076 Jim Bennett for The Griffin School
600 East 50th Street**

The applicant has requested a variance from the minimum street paved width requirement of Section 25-2-832 (1) in order to remodel an existing Religious Assembly Use to create a Private Secondary Educational Facility in an “SF-3-NCCD-NP”, Family Residence – Neighborhood Conservation Combining District – Neighborhood Plan zoning district. (North Hyde Park Neighborhood NCCD) The Land Development Code states that a private secondary school must be located on a street that has a paved width of at least 40 feet from the site to where it connects with another street that has a paved width of at least 40 feet.

**G-12. C15-2010-0077 Cheryl Silverman for Jackson Boyett
5500 Avenue G**

The applicant has requested a variance to increase the maximum impervious coverage requirement of Section 25-2-492 (D) from 45% (60.77% existing) to 65.57% in order to erect an addition (850 square feet) to an existing Religious Assembly use in an “SF-NP”, Family Residence – Neighborhood Plan zoning district. (North Loop Neighborhood Plan)

**G-13. C15-2010-0079 Samantha Smoot
1602 Newning Avenue**

The applicant has requested a variance to decrease the minimum front street setback requirement of Section 25-2-492 (D) from 25 feet to 8 feet in order to erect a Two-Family Residential use in an “SF-3-NP”, Family Residence – Neighborhood Plan zoning district. (South River City Neighborhood Plan)

The applicant has requested a variance from the Two-Family Residential Use requirement of Section 25-2-774 (C) (2) stating that the second dwelling unit must be located at least 15 feet to the rear of the principal structure in an “SF-3-NP”, Family Residence – Neighborhood Plan zoning district. (South River City Neighborhood Plan)

The applicant has requested a variance to decrease the minimum rear yard setback requirement of Section 25-2-492 (D) from 5 feet to 2 feet in order to maintain an accessory structure in an “SF-3-NP”, Family Residence – Neighborhood Plan zoning district. (South River City Neighborhood Plan)

ADJOURNMENT

The City of Austin is committed to compliance with the American with Disabilities Act. Reasonable modifications and equal access to communications will be provided upon request. Meeting locations are planned with wheelchair access. If requiring Sign Language Interpreters or alternative formats, please give notice at least 4 days before the meeting date. Please call Susan Walker at Watershed Protection and Development Review Department, at 974-2202 or Diana Ramirez at Watershed Protection and Development Review Department at 974-2241, for additional information; TTY users route through Relay Texas at 711.